



PATENT APPLICATION

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Harri LEHTONEN

Group Art Unit: 3682

Application No.: 09/581,997

Examiner: William C. Joyce

Filed: September 7, 2000

Docket No.: 115098

For: A VIBRATING AGGREGATE

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

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Sir:

In reply to the October 3, 2003, Office Action, reconsideration of the rejections is respectfully requested in light of the following remarks.

Claims 1-12 are pending in this application.

The Office Action rejects claims 1-3, 7 and 8 under 35 U.S.C. §102(b) over Lehman (U.S. Patent No. 2,884,790) and claims 1-3, 7 and 8 under 35 U.S.C. §102(b) over Fewel (U.S. Patent No. 4,387,539). Applicant respectfully traverses these rejections.

In particular, Applicant asserts that Lehman does not disclose or suggest a vibrating aggregate comprising *inter alia* a shaft including a rigid central portion and, at each end of the rigid central portion, a shaft section mounted by a bearing structure consisting essentially of one bearing for each shaft section in a piece to be vibrated, the shaft sections each being detachably connected to respective ends of the rigid central portion of the shaft by a joint, as recited in independent claim 1.

Lehman discloses a vibrating screen with a shaft (element 44, Fig. 1) with threaded portions 48 which are disposed axially outwardly of the outer portions 46 (Fig. 1; col. 3, lines 53-64). However, Lehman does not disclose that a joint exists between the shaft 44 and the portions 46 or 48. In fact, a close examination of Fig. 1 reveals that there is no joint between elements 44 (shaft) and the portions 46 and 48. Moreover, and as a consequence of the absence of a joint between the shaft and the portions, the portions 46 and 48 are not detachably mounted to the shaft, as recited in independent claim 1. Accordingly, Applicant asserts that Lehman does not disclose or suggest each and every feature of independent claim 1.

Applicant also asserts that Fewel does not disclose or suggest a vibrating aggregate comprising a shaft with shaft sections detachably connected to respective ends of the rigid central portion of the shaft by a joint, as recited in independent claim 1.

Fewel discloses a vibratory actuator that includes a rotatable shaft 44 (Fig. 3) with a cylindrical journal 46 affixed to an end piece 50 of the shaft 44 (col. 3, lines 49-52). However, elements 46 and 50 are elements through which the shaft 44 passes. In other words, the shaft 44 merely passes through elements 46 and 50. Moreover, despite the Office Action's assertion that the Fewel joint can transmit bending moment, Applicant notes that Fewel teaches that the shaft 44 has a reduced bending stiffness (col. 4, line 68-col. 5, line 4), in contrast to the rigid shaft recited in claim 1. Accordingly, Applicant asserts that Fewel does not disclose each and every feature of independent claim 1.

For any of the reasons discussed above, Applicant asserts that independent claim 1 defines patentable subject matter.

The Office Action rejects claims 4, 5 and 9-11 under 35 U.S.C. §103(a) over Lehman or Fewel in view of Redinger (U.S. Patent No. 1,615,233) and claims 6 and 12 under 35 U.S.C. §103(a) over Lehman or Fewel. These rejections are respectfully traversed.

Applicant asserts that Redinger fails to overcome the deficiencies of Lehman and Fewel in disclosing the limitations of independent claim 1, and for at least their dependence on allowable independent claim 1, claims 4-6 and 9-12 define patentable subject matter. Accordingly, Applicant respectfully requests that the rejections of the claims be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicant's undersigned representative at the telephone number listed below.

Respectfully submitted,



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JAO:TMN/jam

Date: January 5, 2004

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